

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA**

THE PENNSYLVANIA STATE
UNIVERSITY,

Plaintiff,

v.

KEYSTONE ALTERNATIVES LLC,
d/b/a GoPSUrv.com; and MARK
LAUER,

Defendants.

Case No. 1:19-cv-02039-YK

**PLAINTIFF THE PENNSYLVANIA STATE UNIVERSITY’S MOTION TO
EXCLUDE THE OPINIONS OF JEFFREY J. NEUMAN
UNDER RULE 702 AND *DAUBERT***

Plaintiff The Pennsylvania State University (“Penn State”), by and through its attorneys, hereby moves the Court to exclude the proposed testimony and expert report of Jeffrey J. Neuman under Federal Rule of Evidence 702 and *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993). In support of this motion, Penn State refers the Court to its Brief in Support filed concurrently herewith.

WHEREFORE, for the reasons stated in the accompanying Brief, Penn State respectfully requests that this Court enter an order excluding the opinions of Mr. Neuman in their entirety under Rule 702 and *Daubert*.

Dated: December 13, 2021

Respectfully submitted,

By: /s/ Lucy Jewett Wheatley

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CERTIFICATE OF CONCURRENCE/NON-CONCURRENCE

I hereby certify that, on December 10, 2021, Plaintiff's counsel contacted Defendants' counsel regarding possible concurrence with the foregoing motion. Defendants' counsel did not concur with the filing of this motion.

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system on this 13th day of December, 2021, which constitutes service on Defendants, who are registered users of the CM/ECF system pursuant to Fed. R. Civ. P. 5(b)(2)(E):

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